

REMARKS

Claims 1, 3 and 7-13 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 103(a)

A. Claims 1, 3 and 11-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowe (US 2005/0124407) in view of Bryant et al. (US 7,318,774).

Claim 1, as amended, recites the features of (i) a secure device removable from a terminal body, the secure device having a first storage unit operable to previously store a first application program for reproducing the content in a members-only operation mode, the first application program being an application program customized for each of the groups indicated by the membership information held by said membership information hold unit; and (ii) the terminal body having a second storage unit operable to previously store a second application program for reproducing the content in a non-member operation mode, and a selection unit operable to select one of the first application program and the second application program which are stored in said first storage unit and said second storage unit.

In addition, claim 1 has been amended to recite that the first application program and the second application program have a common function of reproducing the content, and are different from each other in that the first application program is customized so as to cause said execution unit to execute a different decorative display for each of the groups to which the membership user belongs when the content is reproduced.

Thus, according to amended claim 1, the content reproduction terminal selects one of the first application program (for a member) which is stored in the secure device, and the second application program (for a non-member) which is stored in the terminal body, and reproduces

content. A common point between the first and second application programs is that each of the application programs has a function of reproducing content, whereas the difference between the first and second application programs is that the first application program is customized so that a decorative display is different for each of the groups to which the member belongs.

By providing the above-noted features recited in amended claim 1, a member can view the content with the decorative display customized for the member (i.e., so that a decorative display is different for each of the groups to which the member belong), by inserting the secure device into the terminal body without registering the membership information to the terminal body in advance. In contrast, a non-member who does not own the secure device can view the content using the second application program stored in the terminal body.

Applicants respectfully submit that Rowe and Bryant do not teach or suggest the above-noted combination of features recited in amended claim 1.

First, with respect to Rowe, Applicants note that this reference discloses a game machine having a storage unit such as RAM memory, a hard drive 320, and non-volatile memory 335 (see paragraph [0054]). In addition, the game machine of Rowe includes a smart card reader, wherein a smart card having gaming applications stored thereon can be inserted into the smart card reader (see paragraphs [0089] and [0090]).

Regarding the above-noted gaming applications, Rowe discloses that one such application is a bonus game application, in which game play information can be obtained when a player inserts the smart card into a gaming machine and begins game play (see paragraph [0028]). The game play information stored on the smart card may be accumulated from one or more previous games played, such that a running total of wager amounts for a plurality of games is stored on the smart card (see paragraph [0029]).

In the Office Action, the Examiner has taken the position that the smart card of Rowe corresponds to the “first storage unit” as set forth in claim 1, and that the storage unit in the gaming machine of Rowe corresponds to the “second storage unit” as set forth in claim 1 (see page 4 of the Office Action). In addition, the Examiner has indicated that in Rowe, the above-described gaming application which includes game play information corresponds to the “first application program” as set forth in claim 1 (e.g., see the second paragraph of the Response to Arguments section on page 2 of the Office Action).

With respect to the Examiner’s above-noted position regarding the gaming application of Rowe which includes game play information that is able to indicate a running total of wager amounts (see paragraphs [0029] and [0030]), Applicants respectfully submit that a gaming application having the ability to indicate a running total of wager amounts is significantly different from the “first application program” as set forth in amended claim 1, in which it is indicated that the “first application program is customized so as to cause said execution unit to execute a different decorative display for each of the groups to which the membership user belongs.

Second, with respect to Bryant, Applicants note that this reference discloses a member loyalty system in which a player information delivery system may greet the player by name, or a photograph or caricature of the player may be used as the top symbol in a spinning reel feature game (see col. 6, line 63 through col. 7, line 3).

In this regard, taking the foregoing descriptions of Rowe and Bryant into account, Applicants respectfully submit that even if the gaming machine of Rowe was modified so as to have the ability to display a photograph or caricature of the player, as taught by Bryant, that the combination of Rowe and Bryant would still not teach or render obvious the above-noted feature

recited in amended claim 1 which indicates that first application program and the second application program have a common function of reproducing the content, and are different from each other in that the first application program is customized so as to cause an execution unit to execute a different decorative display for each of the groups to which the membership user belongs when the content is reproduced.

In view of the foregoing, Applicants respectfully submit that amended claim 1 is patentable over the cited prior art, an indication of which is kindly requested. Claims 3 and 11 depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claim 12, Applicants note that this claim has been amended in a similar manner as claim 1 so as to recite that the first application program and the second application program have a common function of reproducing the content, and are different from each other in that the first application program is customized so as to cause said execution step to execute a different decorative display for each of the groups to which the membership user belongs when the content is reproduced, the first application program being an application program customized for each of the groups indicated by the membership information held in said membership information hold step.

For at least similar reasons as discussed above with respect to claim 1, Applicants respectfully submit that the cited prior art references do not teach, suggest or otherwise render obvious the above-noted features recited in amended claim 12.

Accordingly, Applicants submit that claim 12 is patentable over the cited prior art, an indication of which is kindly requested. Claim 13 depends from claim 12 and is therefore considered patentable at least by virtue of its dependency.

B. Claims 7-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowe (US 2005/0124407) in view of Bryant et al. (US 7,318,774), and further in view of Guthery (US 6,779,112).

Claims 7-10 depend from claim 1. Applicants respectfully submit that Guthery does not cure the deficiencies of Rowe and Bryant, as discussed above, with respect to claim 1. Accordingly, Applicants submit that claims 7-10 are patentable at least by virtue of their dependency.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Ryuichi OKAMOTO et al.

/Kenneth W. Fields/
By 2010.11.02 13:41:22 -04'00'

Kenneth W. Fields
Registration No. 52,430
Attorney for Applicants

KWF/krq
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
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